

Application of: Timothy A. Johnson  
Serial No.: 10/629,855  
Filed: July 30, 2003  
Reply to Office Action of July 31, 2007

REMARKS/ARGUMENTS

Favorable reconsideration of this application, in light of the following discussion, is respectfully requested.

Claims 1-12 are currently pending in the application. No claim changes have been made in this Request for Reconsideration.

In the outstanding Office Action, claims 1-12 were rejected under 35 U.S.C. § 102(b) over U.S. Patent No. 6,360,017 (hereinafter “the ‘017 patent”). Applicant respectfully traverses this rejection.

Claim 1 recites:

b. testing:

(i) whether a frame change in pixel value for any one of the pixels in the current block exceeds a first threshold, and

(ii) whether a second threshold number of pixels in the current block changed in pixel value by at least a third threshold, wherein the second threshold is at least two, and

c. if the test of either step b.i. or step b.ii. is true, then communicating information identifying the pixel values within the block.

Such a two-part test is not taught by the ‘017 patent. While the ‘017 patent may determine a second threshold number of pixels (n of step 306) whose values have changed more than a third threshold value (T of step 304) between frames, as part of its aggregating process, it does not test (as in test b.i) whether the change for any one pixel between frames exceeds a first threshold. As a result, after the aggregation and at the time of the threshold comparison, the ‘017 patent cannot tell the effect of any single pixel as opposed to changes in multiple pixels.

Thus, the ‘017 patent does not anticipate claim 1 and its dependent claims. Also, claims 7-12 are patentable for reasons analogous to the reasons set forth for the patentability of claims

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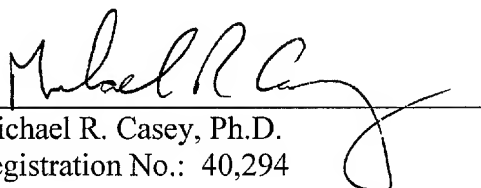
1-6 above. Therefore, all the pending claims are believed to be patentable over the applied reference.

In light of the above discussions, the outstanding grounds for rejection are believed to have been overcome and the application is believed to be in condition for allowance.

When attempting to reach the examiner prior filing this response, the undersigned was informed that the examiner was out of the office until December 8, 2007. Accordingly, the undersigned was unable to discuss this response with the examiner prior to filing. It is respectfully requested that, should the above remarks be insufficient to place this application in condition for allowance, the examiner contact the undersigned to arrange a personal interview.

Respectfully submitted,

DAVIDSON, BERQUIST,  
JACKSON & GOWDEY, L.L.P.

  
Michael R. Casey, Ph.D.  
Registration No.: 40,294

CUSTOMER NUMBER

42624

Davidson Berquist Jackson & Gowdey, LLP  
4300 Wilson Boulevard, 7th Floor  
Arlington, VA 22203  
Ph: 703-894-6400  
Fax: 703-894-6430